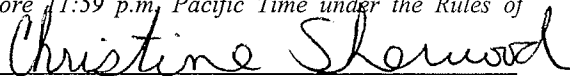


PATENT

Date of Notice  
of Allowance : October 13, 2011

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office on January 13, 2012 at or before 11:59 p.m. Pacific Time under the Rules of 37 CFR § 1.8.*

  
Christine Sherwood

Applicant : Lutz Biedermann, et al. Confirmation No. 7913  
Application No. : 10/799,143  
Filed : March 11, 2004  
Title : ANCHORING ELEMENT FOR USE IN SPINE OR BONE SURGERY,  
METHODS FOR USE AND PRODUCTION THEREOF  
  
Grp./Div. : 3733  
Examiner : Mary C. Hoffman  
  
Docket No. : 56717/B884

**AMENDMENT UNDER 37 CFR § 1.312**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Post Office Box 29001  
Glendale, CA 91209-9001  
January 13, 2012

Commissioner:


In response to the Office action mailed February 23, 2006, where the disclosure was objected to because of typographical errors, a substitute specification pursuant to 37 CFR §1.125 and MPEP §608.01 (q), and an accompanying marked-up copy ("Compare Specification") showing the changes between the original application, as filed, and the substitute specification, were submitted together with the response dated July 24, 2006 to the U.S. Patent Office.

In subsequent correspondences from the Patent Office, the objection was not raised again. However, the Examiner did not at the time explicitly acknowledge receipt and entry of the substitute specification. In addition, when reviewing the USPTO PAIR system, while the transaction history indicates "Substitute Specification Filed" on July 28, 2006, the image file wrapper has classified both the substitute specification and the compare specification as "Specification-Amendment Not Entered."

**Appln No. 10/799,143**  
**Amdt date January 13, 2012**

Due to the errors in the original application publication (U.S. Patent Application Publication No. 2004/0181224), Applicants would like to verify that the substitute specification has been correctly entered. Applicants have attached copies of the substitute specification and Compare Specification, both originally filed on July 24, 2006, in case the previous submission has not yet been entered. Applicants note again that the substitute specification does not contain any new matter and includes the same changes as are indicated in the marked-up copy, and respectfully request that the substitute specification be acknowledged and entered in this case.

Respectfully submitted,  
CHRISTIE, PARKER & HALE, LLP

By   
Joshua T. Chu  
Reg. No. 59,799  
626/795-9900

JTC/cks

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